

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHNSON,
Plaintiff,
v.
UNKNOWN,
Defendant.

Case No. [23-cv-05119-TLT](#)

ORDER OF DISMISSAL

Plaintiff, who is detained at the West County Detention Facility in Contra Costa County and proceeding *pro se*, filed a letter which the Court construed as an attempt to file a civil rights complaint under 42 U.S.C. § 1983. ECF 1. That same day, the Clerk of the Court informed plaintiff that this action was deficient because (1) plaintiff had not filed the complaint on the prisoner complaint form and (2) plaintiff had not paid the filing fee or filed an application to proceed *in forma pauperis*. ECF 2, 3. Plaintiff was instructed to respond within twenty-eight days of the date of the order. *Id.*

The deadline to (1) file a complaint and (2) either pay the filing fee or file an application for leave to proceed *in forma pauperis* has passed, and plaintiff has done neither. The Court therefore DISMISSES this action without prejudice. Because this dismissal is without prejudice, plaintiff may move to reopen the action. Any such motion must be accompanied by (1) a complaint on the proper prisoner complaint form and (2) either the filing fee or an *in forma pauperis* application on the proper form with the required supporting documents.


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The Clerk shall enter judgment in favor of defendant, terminate all pending motions, and close the file.

IT IS SO ORDERED.

Dated: November 14, 2023



TRINA L. THOMPSON
United States District Judge

United States District Court
Northern District of California